

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 668 OF 2007

IN

WRIT PETITION NO. 256 OF 2007

SHRI NAMDEV SHIVA SHETGAONKAR

... Applicant

Versus

SHRI VISHNU VASSU SHETGAONKAR

... Respondent

Mr. Arjun F. Naik, Advocate for the applicant.

Mr. Guru Shirodkar, Advocate for the respondent.

Coram:- R. S. MOHITE, J.

Date:- 28th September, 2007

P.C.

This is an application for amending the petition. It appears that when this petition came up before the Vacation Judge on 9.5.07, after hearing both sides, this Court did not grant any injunction against further construction. However, it was made clear that any construction to be carried out by the respondent/defendant would be at his own risk and subject to the result of the suit.

During the pendency of the petition, the respondent has carried out further construction at his own risk. By the present application, the petitioner wants to bring on record the further acts on the part of the respondent. Though the application is opposed, in my view the amendment should be allowed. Misc. Civil Application, therefore, stands allowed. The amendment to be carried out within one week. Copy to be served on the other side. MCA disposed off. List main WP on 12.10.07 for admission.

R. S. MOHITE, J.

ssm.